

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**UNITED STATES OF AMERICA and
EARLVEEN HAWKINS, Revenue Officer,**

Petitioners,

V.

ALEXANDRA FOLGER,

Respondent.

NO. C-05-5209

ORDER TO SHOW CAUSE RE ENFORCEMENT OF INTERNAL REVENUE SERVICE SUMMONS

Good cause having been shown by the petitioner upon its petition filed in the above-entitled proceeding on **December 16, 2005**, it is hereby:

ORDERED that respondent Alexandra Folger appear before this Court on the 2nd day of March, 2006, at 10:00 a.m., in Courtroom No. B, 15th Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, California, and then and there show cause, if any, why she should not be compelled to appear and provide documents and testimony as required by the summons heretofore served upon her as alleged and set forth in particular in said petition; and it is further

ORDERED that a copy of this Order to Show Cause, together with a copy of the aforesaid petition, be served upon said respondent in accordance with Rule 4 of the Federal Rules of Civil Procedure at least thirty-five (35) days before the return date of this Order above specified; and it is further

1 **ORDERED** that within twenty-one (21) days before the return date of this Order,
2 respondent may file and serve a written response to the petition, supported by appropriate
3 affidavit(s) or declaration(s) in conformance with 28 U.S.C. § 1746, as well as any motion she
4 desires to make, that the petitioner may file and serve a written reply to such response, if any,
5 within fourteen (14) days before the return date of this Order; that all motions and issues raised
6 by the pleadings will be considered on the return date of this Order, and only those issues raised
7 by motion or brought into controversy by the responsive pleadings and supported by affidavit(s)
8 or declaration(s) will be considered at the return of this Order, and any uncontested allegation in
9 the petition will be considered admitted.

10 **ORDERED** that the parties shall consent to Magistrate Judge James' jurisdiction or
11 request for reassignment to a United States District Court judge for trial. This civil case was
12 randomly assigned to United States Magistrate Judge Maria-Elena James for all purposes
13 including trial. In accordance with Title 28, U.S.C. § 636(c), the Magistrate Judges of this
14 District Court are designated to conduct any and all proceedings in a civil case, including a jury
15 or non-jury trial, and to order the entry of final judgment, upon the consent of the parties. An
16 appeal from a judgment entered by Magistrate Judge James may be taken directly to the United
17 States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other
18 judgment of a district court.

19 You have the right to have your case assigned to a United States District Judge for trial
20 and disposition. Accordingly, the parties shall inform the Court whether they consent to
21 Magistrate Judge James' jurisdiction or request reassignment to a United States District Judge
22 for trial. A copy of both the consent and declination forms may be obtained from the Northern
23 District of California's website at <http://www.cand.uscourts.gov/>. From the homepage, click on
24 the "Forms" tab on the left margin, then choose "Civil." The parties shall inform the Court as
25 soon as possible, but no later than January 24, 2006.

1 **ORDERED** this 27th day of December , 2005, at San
2 Francisco, California..
3

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



MARIA-ELENA JAMES
UNITED STATES MAGISTRATE JUDGE